

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**TESORO REFINING AND
MARKETING COMPANY LLC,**

Plaintiff,

v.

**NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA,**

Defendant.

Case No.: SA-CV-13-00931-DAE

Assigned to: Hon. David A. Ezra

Referred to: Hon. Henry J. Bemporad

Date Filed: May 6, 2013

Trial Date: None Set

PLAINTIFFS' DESIGNATION OF EXPERT WITNESSES

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes Plaintiff in the above styled and numbered cause and files this Plaintiff's Designation of Expert Witnesses pursuant to the provisions of the Court's Scheduling Order, and in such regard, would show unto the Court as follows:

I.

RETAINED EXPERT WITNESSES

Plaintiff hereby designates the following individuals as testifying expert(s) which it will call to testify by deposition or otherwise during the trial of this case:

1. Daniel B. Garrie, Esq.
Senior Managing Partner
Law and Forensics
6506 3d Ave. Suite C
Seattle, WA 98117

Mr. Garrie will offer expert testimony regarding the analysis of computer forensic data reflecting the location and source of the four forged security documents at issue in this case, as described in his report.¹

¹ Reports from each of the retained experts identified herein have been served on the parties pursuant to this court's scheduling order and amendment thereto.

2. Robert Hughes
508 Twilight Trail, Suite 200
Richardson, TX 75080

Mr Hughes will offer expert testimony regarding the insurance policy at issue, the historical background of the policy language, the breadth of coverage provided to Tesoro under the policy under the facts of this matter and whether defendant National Union's conduct was in bad faith, as described in his report.

3. William Holder
Ernst & Young Professor of Accounting
Leventhal School of Accounting
University of Southern California
Accounting Building 117
Los Angeles, CA 90089-0441

Mr. Holder will offer expert testimony regarding the role of independent auditors in conducting annual and quarterly reviews and professional standards regarding communications with management, including management reliance on such communications, particularly as it relates to collectability of accounts receivable balances and the existence of collateral on such balances, as described in his report.

4. Linda James
P.O. Box 867226
Plano, TX 75086-7226

Ms. James will offer expert testimony regarding handwriting analysis of the four forged security documents at issue in this case and opinions as to the author of the forgeries based on her review and analysis of the handwriting, as described in her report.

Dated: July 15, 2014

Respectfully submitted,

HAYNES AND BOONE LLP

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was filed electronically with the United States District Court for the Western District of Texas, San Antonio Division, with notice of case activity to be generated and sent electronically by the Clerk of the Court to all counsel of record and mailed by electronic mail to all non-CM/ECF participants.

On this 15th day of July 2014.

/s/ Lamont A. Jefferson
Lamont A. Jefferson